## **Appendix A1**

# Public Notification and Solicitation of Information Relating to the Xantus's Murrelet Status Review

March 2, 2003

March 2, 2003

Name Company Address City, State

As a landowner, neighboring landowner, or interested party, attached for your information is a public notice regarding Xantus's Murrelet (Synthiliboramphus hypoleucus).

If you have any questions, please contact Ms. Esther Burkett, Wildlife Biologist, by telephone at (916) 654-4273.

Sincerely,

## COPY Original Street St.

Dale T. Steele, Supervisor Species Conservation and Recovery Program Habitat Conservation Planning Branch

Attachment

## PUBLIC NOTICE

## TO WHOM IT MAY CONCERN:

Pursuant to Section 2074.4 of the California Fish and Game Code (FGC), NOTICE IS HEREBY GIVEN that on April 16, 2002, the California Fish and Game Commission received a petition from the Pacific Seabird Group to amend the official State list of endangered and threatened species (Section 670.2, 670.5, Title 14, California Code of Regulations) as follows:

Species

Proposal

Xantus's Murrelet (Synthiliboramphus hypoleucus)

List as Threatened

The California Endangered Species Act (FGC, Chapter 1.5, Section 2050 et seq.) requires that the Department of Fish and Game notify affected and interested parties that the Commission has accepted the petition for the purpose of receiving information and comments that will aid in evaluating the petition and determining whether or not the above proposal should be adopted by the Commission. The Commission's October 23, 2002 action has resulted in this species receiving the interim designation of "candidate species." The Department has 12 months to review the petition, evaluate the available information, and report back to the Commission whether the petitioned action is warranted (FGC 2074.6). The Department's recommendation must be based on the best scientific information available to the Department.

Therefore, NOTICE IS FURTHER GIVEN that anyone with data or comments on the taxonomic status, ecology, biology, life history, management recommendations, distribution, abundance, threats, habitat that may be essential for the species, or other factors related to the status of the above species, is hereby requested to provide such data or comments to:

Habitat Conservation Planning Branch Attn: Ms. Esther Burkett California Department of Fish and Game 1416 Ninth Street Sacramento, California 95814

Responses received by July 15, 2003 will be included in the Department's final report to the Fish and Game Commission. If the Department concludes that the petitioned action is warranted, it will recommend that the Commission adopt the proposal. If the Department concludes that the petitioned action is not warranted, it will recommend that the Commission not adopt the proposal. (If the Commission accepts the Department's recommendation not to adopt the proposal, the species will lose its Candidate status.) Following the receipt of the Department's report the Commission will allow a 30-day public comment period prior to taking any action on the Department's recommendation.

NOTICE IS FURTHER GIVEN that any species above proposed to be added to the State list as endangered or threatened is a "candidate species" pursuant to Section 2074.2 (FGC) and, pursuant to Section 2085 (FGC), may not be taken or possessed except as provided by Section 2080 et seq. of the FGC, or other applicable statutes.

Sandra C. Morey, Chief Habitat Conservation Planning Branch

## **Appendix A2**

# Affected and Interested Parties Notified by the Department of Fish and Game

March 2, 2003

Mr. Orlando Amoroso Southern California Commercial Fisherman's Association Berth 73/Fisherman's Wharf San Pedro, California 90731

Mr. Erik Aschehoug The Nature Conservancy 1901 Spinnaker Drive Ventura, California 93001

Dr. Lisa T. Ballance Pacific Seabird Group 8604 La Jolla Shores Drive La Jolla, California 92037

Ms. Jennifer Boyce NOAA Restoration Center 501 W. Ocean Blvd, Suite 4470 Long Beach, California 90802

Mr. Donald Brockman c/o Davey's Locker 400 Main Street Newport Beach, California 92661

Mr. Joseph Coito Adventours Outdoor Excursions Post Office Box 215 Santa Barbara, California 93102 Mr. Richard Arnolds Channel Islands Kayak Center 3600 S. Harbor Blvd Suite 213, #539 Oxnard, California 93035

Mr. Tim Athens Ventura County Commerical Fishermens Association 253 Highland Drive Channel Islands Beach, California 93030

Mr. Brad Bortner U.S. Fish and Wildlife Service 911 NE 11th Avenue Portland, Oregon 97232

Dr. Kelly Brock Natural Resources Office Post Office Box 357088 (Code N451KB) San Diego, California 92135-7088

Mr. Harry R. Carter Humboldt State University Post Office Box 1482 Arcata, California 95617

Dr. Paul Collins Santa Barbara Museum of Natural History 2559 Puesta del Sol Road Santa Barbara, California 93105 Mr. Mark Connally Island Packers 1691 Spinnaker Drive #105b Ventura, California 93001

Mr. Gordon Daily 170 Middle Road Santa Barbara, California 93108

Mr. Jason Diamond Sea Landing Dive Center 301 W. Cabrillo Avenue Santa Barbara, California 93101

Mr. Bill Everett Pacific Seabird Group Post Office Box 1085 La Jolla, California 92038

Ms. Sarah Fangman Channel Islands National Marine Sanctuary 113 Harbor Way Santa Barbara, California 93109

Mr. Robert Fletcher Sportfishing Association of California 1084 Bangor Street San Diego, California 92106 Mr. Dan Cooper National Audubon Society 6042 Monte Vista Street Los Angeles, California 90042

Mr. Bruce Dennis 20516 S. Vermont Avenue #49 Torrance, California 90502

Ms. Katie Drexhage U.S. Fish and Wildlife Service 2493 Portola Road, Suite B Ventura, California 93003

Ms. Bridget Fahey U.S. Fish and Wildlife Service 2493 Portola Road, Suite B Ventura, California 93003

Ms. Kate Faulkner National Park Service 1901 Spinnaker Drive Ventura, California 93001

Mr. Glen Fritzler Truth Aquactics 201 W. Cabrillo Boulevard Santa Barbara, California 93101 Mr. David Garcelon Institute for Wildlife Studies Post Office Box 127 Arcata, California 95521

Dr. Richard T Golightly Humboldt State University Arcata, California 95521

Ms. Carol Gorbics U.S. Fish and Wildlife Service 6010 Hidden Valley Road Carlsbad, California 92009

Mr. Neil Gugleilmo 1136 Mission Ridge Road Santa Barbara, California 93106

Mr. Tom Hamer Hamer Environmental 19997 Highway 9 Mount Vernon, Washington 98274 Mr. Sean Hastings Channel Islands National Marine Sanctuary 113 Harbor Way Santa Barbara, California 93109

Mr. Bob Heiney Cisco's Sportfishing 4151 S. Victoria Avenue Channel Islands Harbor, California 93035

Mr. Eric Hooper 206 Drexel Avenue Ventura, California 93003

Mr. Gregg Howald University of California, Santa Cruz 100 Shaffer Road Santa Cruz, California 95060 Mr. Brad Keitt University of California, Santa Cruz 100 Shaffer Road Santa Cruz, California 95060

Mr. Ken Kohr Captain Hook's Sportfishing 3600 S. Harbor Boulevard #1150 Oxnard, California 93035

Mr. Mike Kucura 1958 Homewoeth Drive Rancho Palos Verdes, California 90275 Mr. Eric Little Aqua Sports 111 Verona Avenue Goleta, California 93117

Ms. Paige Martin National Park Service 1901 Spinnaker Drive Ventura, California 93001

Ms. Kyra L. Mills PRBO 4990 Shoreline Highway 1 Stinson Beach, California 94970

Ms. Victoria Nautel U.S. Fish and Wildlife Service 911 NE 11th Avenue Portland, Oregon 97232

Mr. Mark Olson Paddle Sports 100 State Street Santa Barbara, California 93101

Mr. David Pereksta U.S. Fish and Wildlife Service 2493 Portola Road, Suite B Ventura, California 93003 Ms. Lynn Lozier The Nature Conservancy 201 Mission Street 4th Floor San Francisco, California 94105

Mr. Gerry McChesney U.S. Fish and Wildlife Service Post Office Box 524 Newark, California 94560

Ms. Maura Naughton U.S. Fish and Wildlife Service 911 NE 11th Avenue Portland, Oregon 97232

Dr. Scott Newman Wildlife Trust 61 Route 9W Palisades, New York 10964-8000

Park Superintendent National Park Service 1901 Spinnaker Drive Ventura, California 93001

Mr. Matt Pickett Channel Islands National Marine Sanctuary 113 Harbor Way #150 Santa Barbara, California 93109 Ms. Diana Pleschner-Steele California Wetfish Producers Association Post Office Box 336 Buellton, California 93427

Dr. Peter Schuyler Santa Catalina Island Conservancy Post Office Box 2739 Avalon, California 90704

Mr. Doug Schwartz Southwind Kayak Center 17855 Sky Park Circle #A Irvine, California 92614

Mr. Steve Snyder 2341 Ocean Street Oceano, California 93445

Mr. Kieran Suckling Center for Biological Diversity Post Office Box 710 Tucson, Arizona 85702

Dr. John Takekawa U.S.G.S. - BRD Post Office Box 2012 Vallejo, California 94592 Mr. Alan Sanders Sierra Club 232 N. Third Port Hueneme, California 93041

Dr. Steven J. Schwartz NAWCWD code 870000DE 575 I Avenue Suite 1 Point Mugu, California 93042-5049

Ms. Grace Smith
Environmental Project
Building 514
NAS Point Mugu, California 93042

Dr. Paul Stapp California State Unveristy Post Office Box 6850 Fullerton, California 92834

Dr. William J. Sydeman PRBO 4990 Shoreline Highway 1 Stinson Beach, California 94970

Dr. Bernie Tershy University of California, Santa Cruz 100 Shaffer Road Santa Cruz, California 95060 Dr. Steve Timm Institute for Wildlife Studies Post Office Box 2500 Avalon, California 90704

Mr. Brian Walton University of California, Santa Cruz 100 Shaffer Road Santa Cruz, California 95060

Mr. Lou Zeidberg Post Office Box 951606 Los Angeles, California 90095-1606 Ms. Sandra Vissman U.S. Fish and Wildlife Service 6010 Hidden Valley Road Carlsbad, California 92009

Mr. Bruce Williams Port Hueneme Sportfishing 105 East Port Hueneme Road Port of Hueneme, California 93044

# **Appendix A3**

Newspapers that Published the Xantus's Murrelet Legal Notice on March 2, 2003

Long Beach Press-Telegram Santa Barbara News Press Ventura County Star

## LONG BEACH PRESS-TELEGRAM

604 Pine Avenue Long Beach, CA 90844

## PROOF OF PUBLICATION (2015.5 C.C.P.)

## STATE OF CALIFORNIA County of Los Angeles

I am a citizen of the United States, and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Long Beach Press-Telegram, a newspaper of general circulation printed and published daily in the City of Long Beach, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, on the date of March 21, 1934, Case Number 370512. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates,

March 2,2003.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Long Beach, LA Co. Galifornia \_\_day of \_\_\_\_\_day\_of \_\_\_. 20 0**3**\_\_ signature

PUBLIC NOTICE
TO WHOM IT MAY CONCERN:
Pursuant to Section 2074.4 of the
California Fish and Game Code (FGC),
NOTICE IS HEREBY GIVEN that on
April 16, 2002, the California Fish and
Game Commission received a petition
from the Parific Septing Group to green from the Pacific Seabird Group to amend the official State list of endangered and threatened species (Section 670.2, 670.5, Title 14, California Code of Regulations) as follows:

Proposal

Xantus's Murrelet List as Threatened (Synthiliboramphus hypoleucus)

The California Endangered Species Act (FGC, Chapter 1.5, Section 2050 et sea.) requires that the Department of Fish and Game notify affected and interested parties that the Commission has accepted the petition for the purpose of receiving information and comments that will aid in evaluating the petition and information and comments that will aid in evaluating the petition and determining whether or not the above proposal should be adopted by the Commission. The Commission's October 23, 2002 action has resulted in this species receiving the interim designation of "candidate species." The Department has 12 months to review the petition, evaluate the available information, and report back to the Commission whether the petitioned action is warranted (FGC 2074.6). The Department's recommendation must be based on the best scientific information available to the Department.

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Therefore, NOTICE IS FURTHER GIVEN that anyone with data or comments on the taxonomic status, ecology, biology, life history, management recommendations, management recommendations, abundance, threats, habitat that may be essential for the species, or other factors related to the status of the above species, is hereby requested to provide such data or comments to:

Habitat Conservation Planning Branch Attn: Ms. Esther Burkett California Department of Fish and 1416 Ninth Street Sacramento, California 95814

Responses received by July 15, 2003 will be included in the Department's final report to the Fish and Game Commission. If the Department concludes commission. If the Department concludes that the petitioned action is warranted, it will recommend that the Commission adopt the proposal. If the Department concludes that the petitioned action is not warranted, it will recommend that the Commission not adopt the proposal. (If the Commission accepts the Department's recommendation not to adopt the proposal, the species will lose its Candidate status.) Following the receipt of the Department's report the Commission will allow a 30-day public comment period prior to taking any action on the Department's recommendation

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NOTICE IS FURTHER GIVEN that any species above proposed to be added to the State list as endangered or threatened is a "candidate species" pursuant to Section 2074.2 (FGC) and, pursuant to Section 2085 (FGC), may not taken or possessed except as provided pursuant to Section 2085 (FGC), may not be taken or possessed except as provided by Section 2080 et sea, of the FGC, or other applicable statutes. Sandra C. Morey, Chief Habitat Conservation Planning Branch Pub. Mar. 2, 2003(11) PT(107301/243404)

## SANTA BARBARA NEWS PRESS Proof of Publication (2015.5C.C.P)

## Superior Court of the State of California In and for The County of Santa Barbara

#23938

In the Matter of: CALIFORNIA DEPARTMENT OF FISH AND GAME

## **PUBLIC NOTICE**

The undersigned, being the principal clerk of the printer of the Santa Barbara News Press, a newspaper of general circulation, printed and published daily in the City of Santa Barbara, County of Santa Barbara, California and which newspaper has been adjudged a newspaper of general circulation by the Superior Court in the County of Santa Barbara, State of California, Adjudication Number 47171; and that affiant is the principal clerk of said Santa Barbara News Press. That the printed notice hereto annexed was published in the SANTA BARBARA NEWS PRESS, in the issues of the following named dates:

## **Dates of Publication:**

### MARCH 2.

all in the year 2003 I hereby certify (or declare) under penalty of perjury that that foregoing is true and correct.

Executed on this 4TH day of MARCH, 2003 at Santa Barbara, CA.

Klaina a, Kadnaus Signature

#### PUBLIC NOTICE

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#### Species

Proposal

Xantus's Murrelet (Synthiliboramphus hypoleucus) List as Threatened

The California Endangered Species Act (FGC, Chapter 1.5, Section 2050 et seq.) requires that the Department of Fish and Game notify affected and interested parties that the Commission has accepted the petition for the purpose of receiving information and comments that will aid in evaluating the petition and determining whether or not the above proposal should be adopted by the Commission. The Commission's October 23, 2002 action has resulted in this species receiving the interimidesignation of "candidate species." The Department has 12 months to review the petition, evaluate the available information, and report back to the Commission whether the petitioned action is warranted (FGC 2074.6). The Department's recommendation must be based on the best scientific information available to the Department.

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Sandra C. Morey, Chief Habitat Conservation Planning Branch

` Mar.2/03-23938

## **Certificate of Publication**

Ad NO. 552335

In Matter of Publication of:

## **PUBLIC NOTICE**

State of California)
((§
County of Ventura)

l, Anjelica Mendoza hereby certify that the Thousand Oaks Star, Moorpark Star, Simi Valley Star, Camarillo Star, Oxnard Star. Ventura County adjudged a newspaper of general circulation by the Superior Court of California, County of Ventura within the provisions of the Government Code of the State of California, printed and published in the City of San Buenaventura. County of Ventura, State of California: that I am a clerk of the printer of said paper; that the annexed clipping is a true printed copy and publishing in said newspaper on following dates to wit:

Mar. 2, 2003

I, certify under penalty of perjury, that the foregoing is true and correct.

Dated this 4th day of March 2003 in San Buenaventura, California.

ANJELIKA MENDOZA Udoza

### / PUBLIC NOTICE

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<u>Proposal</u>

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List as Threatened

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Sandra C. Morey, Chief Habitat Conservation Planning Branch Publish: Feb 28, 2003 Ad No.VC552335